

## REMARKS

In the Office Action mailed October 18, 2007 (hereinafter "Office Action"), Claims 1, 13, 25, and 35 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 1-28, 30, 32-41, and 45-48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,374,300 B2, issued to Masters (hereinafter "Masters"), in view of U.S. Patent No. 6,772,333 B1, issued to Brendel (hereinafter "Brendel"). Claims 31 and 42-44 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Masters in view of Brendel, and further in view of U.S. Patent No. 6,453,360 B1, issued to Muller et al. (hereinafter Muller). Claims 1, 13, 25, and 35 are independent claims.

In response to the Office Action, applicant has amended Claims 1, 2, 5, 8, 10, 11, 13, 14, 17, 20, 22, 25, 33, and 45-48. Claims 3, 4, 6, 7, 12, 15, 16, 18, 19, 23, 24, 26, 28, 32, and 34 are amended to address minor typographical issues, while Claims 9, 21, 27, 29-31, and 35-44 have been canceled. Accordingly, Claims 1-8, 10-20, 22-26, 28, 32-34, and 45-48 are currently pending in this application. Applicant has carefully considered the issues raised in the Office Action and requests reconsideration and allowance of the claims in view of the remarks set forth below.

### Interview Summary

The undersigned counsel thanks the Examiner for taking the time to participate in a telephone interview on October 30, 2007, concerning the patentability of the claims in this patent application. The general discussion of the interview involved the 35 U.S.C. § 112, first paragraph rejection and distinctions between the claim language and subject matter of the present application and the cited art. No agreement was reached concerning any of the rejections.

### Rejections Under 35 U.S.C. § 112, First Paragraph

The Office Action rejected Claims 1, 13, and 25 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. As discussed in the examiner

interview, applicant respectfully disagrees with this rejection and maintains that the language "data stream" as recited in Claims 1, 13, and 25 is disclosed in the specification. However, in order to advance prosecution of the present application, applicant has removed the "data stream" recitation from Claims 1, 13, and 25 with the present amendments. As such, applicant respectfully submits that the 35 U.S.C. § 112, first paragraph, rejection is now moot, and that withdrawal of this rejection is merited.

Rejections Under 35 U.S.C. § 103(a)

Independent Claims 1, 13, and 25

The Office Action rejected independent Claims 1, 13, and 25 under 35 U.S.C. § 103(a) as being unpatentable over Masters, in view of Brendel. Applicant respectfully traverses this rejection.

For convenience of examination, the independent claims are repeated as follows. As amended, Claim 1 recites:

1. An information processing system, including a first server computing device, the first server computing device including:
  - a main processor that executes one or more server applications,
  - and
  - an intelligent network interface controller including a protocol processor,wherein the intelligent network interface controller includes a configuration to:
  - receive first information that has been formed by the main processor according to a server application; and
  - form second information that is independent of the server application for causing a client computing device to perform an operation;and
  - wherein the protocol processor includes a configuration to:
    - execute protocol stack instructions to create one or more packets that include at least the first and second information; and
    - output the one or more packets to the client computing device.

As amended, Claim 13 recites:

13. A method performed by an intelligent network interface controller of a first server computing device of an information processing system, the method comprising:

receiving first information that has been formed according to application software instructions executed by a main processor of the first server computing device;

independent of the application software instructions, forming second information for causing a client computing device to perform an operation;

in response to receiving the first information, using a protocol stack processor of the intelligent network interface controller to execute protocol stack instructions to create one or more packets that include at least the first and second information; and

outputting the one or more packets to the client computing device.

As amended, Claim 25 recites:

25. A computer-readable storage medium containing instructions that, when executed by an intelligent network interface controller associated with a first server computing device, cause the intelligent network interface controller to process information by performing a method comprising:

receiving first information that has been formed according to application software instructions executed by a main processor of a first server computing device;

independent of the application software instructions, forming second information for causing a client computing device to perform an operation; and

in response to receiving the first information, using a protocol stack processor of the intelligent network interface controller to execute protocol stack instructions to create one or more packets that include at least the first and second information and output the one or more packets to the client computing device.

Applicant respectfully submits that neither Masters nor Brendel, either alone or in combination, teaches, describes, or suggests the combination of claim features recited in the amended claims, including an information processing system, method, or computer-readable storage medium that utilizes an intelligent network interface controller to form a second information for causing a client computing device to perform an operation independent of application software instructions executed by a main processor as recited in amended Claims 1, 13, and 25. Accordingly, applicant respectfully submits that Claims 1, 13, and 25 are patentable,

and that withdrawal of the 35 U.S.C. § 103(a) rejection with respect to Claims 1, 13, and 25 is merited.

Dependent Claims 2-8, 10-12, 14-20, 22-24, 26, 28, 32-34, and 45-48

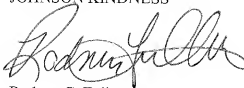
Claims 2-8, 10-12, 45, and 46 depend from Claim 1. Claims 14-20, 22-24, 47, and 48 depend from Claim 13. Claims 26, 28, and 32-34 depend from Claim 25. Applicant respectfully submits that these claims are allowable at least by virtue of these dependencies, as well as by virtue of the additional claim features set forth therein. Accordingly, applicant respectfully submits that Claims 2-8, 10-12, 14-20, 22-24, 26, 28, 32-34, and 45-48 are allowable, and that withdrawal of the 35 U.S.C. § 103(a) rejection with respect to these claims is merited.

CONCLUSION

In view of the foregoing amendments and remarks, applicant submits that Claims 1-8, 10-20, 22-26, 28, 32-34, and 45-48 are in condition for allowance over the cited and applied references, and respectfully requests reconsideration and allowance of the same. The Examiner is invited to contact applicant's attorney at the number provided below to resolve any issues that may arise in order to advance prosecution of this application.

Respectfully submitted,

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